

REMARKS

Applicants request reconsideration of the rejection of claims 1-14. The Examiner rejected claims 1-4, 6-9 and 11-13 as being unpatentable over Bharucha in view of Lyons '798, and claims 5, 10 and 14 as being unpatentable over Bharucha and Lyons '798 in view of Lyons '196. However, the Examiner's reasons for these rejections are believed to be in error and reconsideration in view of the following arguments is requested.

Regarding claim 1, the Examiner erroneously contends that the claimed step (b) is equivalent to the element 21 in Fig. 2 of Bharucha. However, the element 21 of Bharucha is described as a signal classifier to identify voice, fax and voice-band calls (see col. 4, lines 57-58), all of which are equivalent to the claimed speech and voice band signals, and none of which corresponds to the claimed ISDN digital signals. Consequently, this element 21 does not have a function for judging whether each input signal is a speech and voice band signal or an ISDN digital signal, as explicitly required for the step (b) in claim 1.

The Examiner also erroneously contends that the claimed step (c) is equivalent to the element 34 in Fig. 2 of Bharucha. However, the element 34 is described as a marking module to mark cells with an indication of a level of speech actively occurring in data stored in a particular cell (speech represents silence only and those cells that contain even partial voice spurts, in the simplest case) (see col. 5, lines 14 to 38). The element 34 clearly does not have any function for dynamically changing a compression scheme of each input signal into a most appropriate compression scheme selected from a plurality of different compression schemes with different compression rates, as explicitly required for the step (c) in claim 1.

Moreover, the element 34 does not utilize any signal type information as identified by the signal classifier 21, contrary to the claimed step (c). This can be easily seen from Fig. 2 since the element 34 only operates on the output of the voice compression VoC 23, which operates only on the voice signals identified by the signal classifier 21. Note in particular that Bharucha completely fails to disclose any teaching for selecting the most appropriate compression scheme from a plurality of different compression schemes with different compression rates according to the signal type information.

The Examiner correctly admitted that Bharucha fails to disclose the steps (d) and (e) of claim 1, however, he erred by contending that these steps are disclosed in Lyons '798. Lyons '798 discloses the use of an extended header for an AAL-2 header of an ATM cell of a fixed size (53 octets), but fails to disclose any teaching for assembling variable length packets and assembling ATM cells by multiplexing such variable length packets (see Abstract and col. 2, lines 49-55). Thus, it is logically impossible for any combination of Bharucha and Lyons '798 to imply the steps (d) and (e) of claim 1, especially in the context of transferring speech and voice band signals as well as ISDN digital signals, between an ATM network and an STM network, as explicitly recited in claim 1.

The Examiner also erroneously contends that the claimed steps (h) and (i) are equivalent to the element 34 of Fig. 2 of Bharucha.

As already noted above, the element 34 is actually described as a marking module to mark cells with an indication of a level of speech actively occurring in data stored in a particular cell (speech represents silence only and those cells that contain even partial voice spurts, in the

simplest case) (see col. 5, lines 14 to 38). The element 34 clearly does not have any function for judging a signal compression scheme of each received signal, and expanding each receiving signal using the judged signal compression scheme, as explicitly required for the steps (h) and (i) in claim 1. This can also be seen from the fact that Bharucha only describes a cell insertion and silence insertion function in the destination terminal adapter 14 (see col. 6, lines 8-20).

Thus, a combination of Bharucha and Lyons '798 actually fails to disclose any teaching corresponding to the steps (b), (c), (d), (e), (h) and (i) of claim 1, and therefore it is logically impossible to consider Bharucha and Lyons '798 as obviating claim 1. The Examiner's claim rejection based on Bharucha and Lyons '798 is improper and should be withdrawn.

The same arguments apply to the claims 2-6, which depend from claim 1, as well as the transmitting side device claims 7-11 and the receiving side device claims 12-14 that are corresponding to the method claims 1-6.

The deficiencies of Bharucha and Lyons' '798 noted above are not overcome by Lyons '196. The Examiner recognizes that "Bharucha does not disclose the claimed invention". The proposed combination of Bharucha, Lyons '798 and Lyons '196 relied upon in the rejection of claims 5, 10 and 14 stems not from the fair teachings of the prior art, but from hindsight. Such rejection is improper and should be withdrawn.

In conclusion, it is believed that claims 1-14 are patentably distinct over the prior art of record. The present application is in condition for allowance. Favorable reconsideration and formal allowance of this application are requested.

Respectfully submitted,

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